



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: ENF-LEP

NOV 27 2006

John D. Fognani  
Fognani & Faught, PLLC  
1700 Lincoln St., Suite 2222  
Denver, CO 80203

Re: Partial Consent Decree; United States v. United Park City Mines, et al.,  
Case No. 2:06CV00745, District of Utah

Dear Mr. Fognani:

In reviewing the Partial Consent Decree mentioned above, in which Falconconbridge Limited and Noranda Mining Inc. resolved past costs at the Richardson Flat Tailings Site, the Agency has noticed an oversight in Section V, Payment of Costs. The Consent Decree fails to state that payments made pursuant to this section should be deposited into the Richardson Flat Special Account. To correct this, we request that you make payments as specified in the Consent Decree, with the exception of making note that all funds paid shall be deposited into the Richardson Flat Tailings Site Special Account, Site Specific Identification Number 0894.

Should you have any questions, please call Maureen O'Reilly, Enforcement Specialist, at 303-312-6402. We regret that this information was not included in the instructions for payment contained in Section V of the Consent Decree.

Sincerely,

*Margaret J. ("Peggy") Livingston*  
Margaret J. ("Peggy") Livingston  
Enforcement Attorney

cc: M. O'Reilly, ENF-RC  
M. Walker, TMS-F  
Mark Elmer, Department of Justice



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